

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

ANDRE R. DEGARZA,

§

Plaintiff,

§

VS.

§

ACTION NO. 05-MC-0349

CITY OF HOUSTON  
and  
KAREN SINGER,

§

Defendants.

§

§

§

§

§

**MEMORANDUM AND ORDER**

On March 31, 2006, this Court ordered Plaintiff to submit proof of service within ten (10) days. Plaintiff failed to comply with that Order. Accordingly, and pursuant to FED. R. CIV. P. 4(m), this case is hereby **DISMISSED WITHOUT PREJUDICE TO REFILING.**

**IT IS SO ORDERED.**

**SIGNED** at Houston, Texas, on this the 12th day of April, 2006.



---

KEITH P. ELLISON  
UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES  
THIS ORDER SHALL FORWARD A COPY OF IT TO EVERY  
OTHER PARTY AND AFFECTED NON-PARTY EVEN THOUGH  
THEY MAY HAVE BEEN SENT ONE BY THE COURT.